

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,)
Plaintiff,) 8:16CR63
vs.)
GILBERT GOMEZ, SR.,) ORDER
Defendant.)

This matter is before the court on the Unopposed Motion to Continue Trial [138]. Defendant continues to undergo treatment for a serious illness. Counsel are also engaged in plea negotiations. The defendant has previously complied with NECrimR 12.1(a) at filing [76]. For good cause shown,

IT IS ORDERED that the Motion to Continue Trial [138] is granted, as follows:

1. The jury trial now set for September 19, 2017 is continued to **October 30, 2017**.
2. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and October 30, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

DATED September 1, 2017.

BY THE COURT:

**s/ Susan M. Bazis
United States Magistrate Judge**